

# EXECUTIVE COUNCIL OF IOWA

## MINUTES

### OCTOBER 5, 2020

The Executive Council met in regular session at 10:01 a.m. via conference call as a meeting in person was impractical due to the Governor's State of Public Health Disaster Emergency Proclamation. Governor Kim Reynolds presided over the meeting. Secretary Paul Pate, Auditor of State Rob Sand, Treasurer of State Michael Fitzgerald and Secretary of Agriculture Michael Naig were present.

Regular Session  
October 5, 2020

Moved by Secretary Naig and seconded by Secretary Pate that the Council approve the minutes of the Executive Council meeting held September 14, 2020.

Minutes Approved

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Fitzgerald Secretary Naig
	Nays:	None

Moved by Treasurer Fitzgerald and seconded by Auditor Sand that the Council approve the request from the Department of Justice, Attorney General's office as follows:

Approved Outside  
Counsel

- A. The Department of Justice, Attorney General's office requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Michael Timm v. IMMC and State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm:	Patterson Law Firm, L.L.P.
Attorney:	Ryan Clark 505 5 <sup>th</sup> Avenue Suite 729 Des Moines, IA 50309
Rate:	\$140.00 Per Hour

- B. The Department of Justice, Attorney General's office requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Kent Daugherty v. Iowa State Fair Authority and State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.  
Attorney: Ryan Clark  
505 5<sup>th</sup> Avenue  
Suite 729  
Des Moines, IA 50309  
Rate: \$140.00 Per Hour

The vote: Ayes: Governor Reynolds  
Secretary Pate  
Auditor Sand  
Treasurer Fitzgerald  
Secretary Naig  
Nays: None

Moved by Secretary Naig and seconded by Secretary Pate that the Council approve the requests as follows:

Approved  
Emergency  
Allocations

- A. Department of Public Safety requested an emergency allocation in the amount of \$7,797.13. On June 11, 2020, State Patrol Vehicle #493 was damaged by a deer. Request was to cover repair costs.
- B. Department of Public Safety requested an emergency allocation in the amount of \$3,357.20. On May 31, 2020, State Patrol Vehicles #140, #354 and #396 were damaged by vandalism during protests. Request was to cover repair costs.
- C. Department of Public Safety requested an emergency allocation in the amount of \$6,497.85. On June 5, 2020, State Patrol Vehicle #631 was damaged by a deer. Request was to cover repair costs.
- D. Department of Public Safety requested an emergency allocation in the amount of \$2,462.59. On July 11, 2020, State Patrol Vehicle #830 was damaged by hail. Request was to cover repair costs.
- E. Department of Public Safety requested an emergency allocation in the amount of \$17,214.12. On July 10, 2020, Vehicle #105221 was damaged by a deer. Request was to cover repair costs.
- F. Department of Public Safety requested an emergency allocation in the amount of \$4,954.20. On July 11, 2020, State Patrol Vehicle #146 was damaged by hail. Request was to cover repair costs.

- G. Department of Public Safety requested an emergency allocation in the amount of \$4,320.40. On July 11 2020, State Patrol Vehicle #152 was damaged by hail. Request was to cover repair costs.
- H. Department of Public Safety requested an emergency allocation in the amount of \$6,554.05. On July 31, 2020, State Patrol Vehicle #132 was damaged by a deer. Request was to cover repair costs.
- I. Department of Natural Resources requested a supplemental emergency allocation in the amount of \$3,948.00. This will increase the total allocation to \$11,248.00. On December 23, 2019 there was vandalism to lodge at Palisades Kepler State Park. Request was to cover repair costs.
- J. Department of Administrative Services requested an emergency allocation in the amount of \$8,327.35. On June 8, 2020, Vehicle #1534 was damaged by a deer. Request was to cover repair costs.
- K. Department of Administrative Services requested an emergency allocation in the amount of \$30,701.09. On July 11, 2020, Vehicles #1519, #1524, #1526 and #2258 was damaged by hail. Request was to cover repair costs.
- L. Department of Administrative Services requested an emergency allocation in the amount of \$11,800.00. On July 9, 2020, a sink hole opened near South Capitol Terrace. Request was to cover repair costs.
- M. Department of Administrative Services requested an emergency allocation in the amount of \$4,513.99. On July 11, 2020, Vehicle #1765 was damaged by hail. Request was to cover repair costs.
- N. Department of Administrative Services requested an emergency allocation in the amount of \$31,678.00. On August 10, 2020, a storm caused damages to Capitol Complex. Request was to cover repair costs.
- O. Department of Administrative Services requested an emergency allocation in the amount of \$2,500.00. On August 10, 2020, a storm caused damages to Terrace Hill. Request was to cover repair costs.
- P. Iowa Workforce Development requested an emergency allocation in the amount of \$4,279.95. On May 29, 2020, 150 Des Moines Street Building was damaged due to vandalism. Request was to cover repair costs.
- Q. Department of Corrections – Anamosa State Penitentiary requested an emergency allocation in the amount of \$2,064.82. On June 4, 2020, an electrical storm caused damage to the taut wire system. Request was to cover repair costs.

- R. Iowa Communications Network requested an emergency allocation in the amount of \$19,200.10. On July 21, 2020 ICN sustained cable damage due to excessive erosion along I-80 at Mosquito Creek in Pottawattamie County. Request was to cover repair costs.
- S. Board of Regents – Iowa State University requested an emergency allocation and payment in the amount of \$78,710.00. On September 9, 2019 a lightning strike caused damage to the Veterinary Medicine Complex Simplex Fire Pane. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- T. Board of Regents – Iowa State University requested an emergency allocation and payment in the amount of \$21,528.04. On January 24, 2020 a fire caused damages in the lab at the Veterinary Medicine Complex. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- U. Board of Regents – Iowa State University requested an emergency allocation and payment in the amount of \$27,793.53. On May 22, 2020 a burst pipe caused water damages to the Veterinary Medicine Complex. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- V. Board of Regents – University of Iowa requested an emergency allocation in the amount of \$479,716.49. On July 20, 2020 a chilled water line leak caused water damage at the Chemistry Building. Request was to cover repair costs.
- W. Board of Regents –University of Iowa requested an emergency allocation in the amount of \$34,795.00. On March 13, 2020 a musical instrument was stolen from the Voxman Music Building. Request was to cover repair costs.

The vote:       Ayes:               Governor Reynolds  
   Secretary Pate  
   Auditor Sand  
   Treasurer Fitzgerald  
   Secretary Naig  
                           Nays:               None

Moved by Secretary Pate and seconded by Secretary Naig that the Council approve the following cost items:

Approved Payment  
of Cost Items

- A. Department of Public Safety.....\$6,977.35  
 On February 17, 2020 State Patrol Vehicle 580 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$1,820.68 will be reverted and this allocation closed.

- B. Gray Miller Persh, LLP.....\$2,534.60  
2233 Wisconsin Avenue NW, Suite 226  
Washington, D.C. 20007  
Iowa Public Television
- C. Michael Marquess.....\$5,000.00  
2183 Docks Drive  
Garwin, IA 50632  
Tribal cases when the offenses are committed by non-natives against non-natives  
(or without a victim) on the Sac and Fox Indian Settlement in Tama County
- D. Simmons Perrine Moyer Bergman PLC.....\$300.00  
115 Third Street SE, Suite 1200  
Cedar Rapids, IA 52401  
Tobacco Settlement Authority
- E. Richard J. Bennett, Sr.....\$1,164.00  
PO Box 65666  
West Des Moines, IA 50265  
Special Counsel for the Criminal Appeals Division of the Iowa Attorney  
General's Office
- F. Patterson Law Firm L.L.P.....\$168.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Robert James Conrad v. Woodward Resource Center, State of Iowa and Second  
Injury Fund of Iowa
- G. Patterson Law Firm L.L.P.....\$476.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Dena Nelson v. Glenwood Resource Center, State of Iowa and Second Injury  
Fund of Iowa
- H. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$4,540.00  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of prospective  
state employees

I. Davis Brown Law Firm.....\$69.00  
215 10th Street, Suite 1300  
Des Moines, IA 50309-3993  
Unclaimed Property Probate Matters & Employee Retirement Income Security  
Act (ERISA)

The vote:      Ayes:              Governor Reynolds  
   Secretary Pate  
   Auditor Sand  
   Treasurer Fitzgerald  
   Secretary Naig  
                 Nays:              None

Moved by Treasurer Fitzgerald and seconded by Auditor Sand that the Council approve the request from the Department of the Navy to extend the loan of ship model USS Iowa (BB-61), Supplement No. 37 Contract N00024-82-C-0204, from November 1, 2020 to November 1, 2021.

Approved  
Department of  
Navy Request

The vote:      Ayes:              Governor Reynolds  
   Secretary Pate  
   Auditor Sand  
   Treasurer Fitzgerald  
   Secretary Naig  
                 Nays:              None

Moved by Secretary Naig and seconded by Auditor Sand that the meeting adjourn.

Meeting adjourned

Respectfully submitted,



Victoria Newton  
Executive Secretary